

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MARICELA RAMIREZ,

3:13-CV-01772-AC

Plaintiff,

ORDER

v.

MELANIE PARKER, M.D.,  
STEPHANIE ANDERSON, M.D.,  
LEGACY GOOD SAMARITAN  
MEDICAL CENTER; LEGACY  
EMANUEL MEDICAL CENTER;  
IMG NORTHEAST; DOES 1-  
100,

Defendants.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#109) on November 7, 2014, in which he recommends the Court grant Defendants' Motion (#48) for Summary Judgment, grant Defendants' request for attorneys' fees within their Motion

for Summary Judgment, deny Plaintiff's Motion (#77) for Leave to File Second Amended Complaint, deny all other pending Motions as moot, and dismiss this matter with prejudice. The Magistrate Judge also recommended, in effect, that this Court direct Defendants to file a formal motion for attorneys' fees that comports with Local Rule 54-3.

Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

#### CONCLUSION


The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#109) and, therefore, **GRANTS** Defendants' Motion

(#48) for Summary Judgment, **GRANTS** Defendants' general request for attorneys' fees, **DENIES** Plaintiff's Motion (#77) for Leave to File Second Amended Complaint, **DENIES** all other pending Motions as moot, and **DISMISSES** this matter **with prejudice**.

The Court **DIRECTS** Defendants to prepare and to submit to the Magistrate Judge a formal motion for attorneys' fees that comports with Local Rule 54-3 **no later than December 31, 2014**.

IT IS SO ORDERED.

DATED this 16<sup>th</sup> day of December, 2014.



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ANNA J. BROWN  
United States District Judge